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August 31, 2020

**Hand Delivered** 

Ms. Shelby Little, AICP Zoning Manager Department of Planning and Zoning City of Marietta 205 Lawrence Street Marietta, Georgia 30060

RE:

Application for Rezoning -

Zoning Case No.: Z2020-27

(Legistar No. 20200639)

Applicant:

HR Acquisition I Corporation

Property Owners:

HR Acquisition I Corporation and

EVOQ Marietta, LLC

Property:

4.715 acres and 2.47 acres, more or less, located on the northerly and southerly sides of Florence Street, the southwesterly side of Marble Mill Road, the westerly side of Campbell Hill Street, and the easterly side of White Street, being more particularly known as 833 and 900 Campbell Hill Street, and 100, 120, and 150 Florence Street, Land Lot 1014, 16<sup>th</sup> District, 2<sup>nd</sup> Section, City of

Marietta, Cobb County, Georgia

### Dear Shelby:

The undersigned and this firm represent HR Acquisition I Corporation, the Applicant and one of the Property Owners (hereinafter referred to as "Applicant"); as well as EVOQ Marietta, LLC, the remaining Property Owner (hereinafter collectively with Applicant referred to as "Owners" or "Property Owners"), in their request for rezoning of two tracts of property, being one approximately 4.715 acres located on the westerly side of Campbell Hill Street, the southerly side of Florence Street, and the easterly side of White Street, known as 900 Campbell Hill Street; and the second tract being located on the northerly side of Florence Street and the southwesterly side of Marble Mill Road, and known as 833 Campbell Hill Street and 100, 120, and 150 Florence Street, Land Lot 1014, 16<sup>th</sup> District, 2<sup>nd</sup> Section, Cobb County, Georgia (hereinafter collectively the "Property" or "Subject Property"). After conferences and communications with Planning and

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Zoning Staff and various City Staff and reviewing the City's Rezoning Application Analysis, we have been authorized by the Applicant to submit this letter of agreeable stipulations and conditions which, if the Application for Rezoning is approved, as submitted, shall become a part of the grant of the requested zoning and shall be binding upon the Subject Property. The proposed stipulations are as follows:

- (1) The stipulations and conditions set forth herein shall replace and supersede in full any and all prior stipulations and conditions, in whatsoever form, which are currently in place on the Subject Property.
- (2) Applicant seeks rezoning of the Subject Property from the existing zoning categories of Office Institutional ("OI") and Residential High Rise ("RHR") to the proposed zoning category of Office Institutional ("OI"), with reference to the Site Plan filed with the Application for Rezoning. A reduced copy of the Site Plan is attached as Exhibit "A" and incorporated herein by reference.
- (3) On a portion of the Subject Property comprised of 833 Campbell Hill Street, Applicant proposes to construct a new medical office building, a maximum of four (4) stories in height, and containing a maximum of 85,000 square feet, as more specifically identified on the submitted Site Plan.
- (4) Applicant will provide a maximum overall total of five hundred thirty-two (532) parking spaces (five hundred nine (509) spaces required). There will be a total of three hundred eight (308) surface parking spaces immediately adjacent to the proposed and existing medical office buildings on 833 Campbell Hill Street; as well as a maximum of two hundred twenty-four (224) surface parking spaces in the auxiliary parking area located across Florence Street.
- (5) Applicant agrees to a dedicated pedestrian cross-walk connecting the auxiliary parking area with the medical office buildings, as shown and reflected on the Site Plan. Applicant will work with the City of Marietta Public Works to establish a safe crossing area on Florence Street.
- (6) Applicant agrees to the installation of sidewalk, curb, and gutter, together with a two (2) foot beautification strip, along the frontage of the Subject Property on Marble Mill Road, Campbell Hill Street, Florence Street, and a portion of White Street, as shown and reflected on the submitted Site Plan.
- (7) All landscaping referenced herein; including, but not limited to, the frontage, entrance area, and open space areas, shall be approved by the City of Marietta as

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part of the Plan Review Process and incorporated into the overall landscape plan for the proposed development.

- (8) All setbacks, landscape, and buffer areas may be penetrated for purposes of fencing, access, utilities, and stormwater management; including, but not limited to, drainage and detention facilities and any and all slopes or other required engineering features of the foregoing. Any disturbed area shall be restored with comparable plantings as allowed by the City of Marietta or any utility provider.
- (9) Applicant agrees to the following variances for the proposed project:
  - (a) Variance to allow for off-site parking to meet the minimum parking standards for a property used as medical offices; and
  - (b) Variance to waive the planter island requirements.

We believe the requested zoning, together with the referenced Site Plan and the stipulations set forth above, is an appropriate use of the Subject Property while taking into consideration the location of the Property and the uses of properties in the surrounding area. The proposed medical office building, and redevelopment of the surrounding property, will be a quality facility and provide much-needed services to the healthcare community, area residents, and the City. Thank you for your consideration in this request.

With kindest regards, I remain

Very truly yours,

MOORE INGRAM JOHNSON & STEELE, LLP

JKM:cc Attachment

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c: Russell J. Roth, AICP
Development Director
City of Marietta
(With Copy of Attachment)

HR Acquisition I Corporation (With Copy of Attachment)

